

Amendments to the Drawings

The attached sheets of drawings include changes to FIGS. 3-5, 8 and 20. These sheets, which include FIGS. 3-5, 8, 9, and 20 replace the original sheets including FIGS. 3-5, 8, 9, and 20. The changes to FIGS. 3-5, 8, and 20 are made in response to the objections to the drawings set forth in the Office Action. Specifically, FIGS. 3-5 have been amended to include reference numbers “40”, “42”, and “44”, respectively. FIG. 8 has been amended to include reference number “121”, which refers to the “save filter button.” In FIG. 20, reference number “270” has been changed to reference number “220.”

Attachment: 5 Replacement Sheets
5 Annotated Sheets Showing Changes

REMARKS

Following entry of the foregoing amendment, Claims 1-20 remain pending. Independent Claims 1, 8 and 15 and dependent Claims 2, 3, 5, 9, 10, and 12 have been amended. Additionally, the Specification and Drawings have been amended. Applicants respectfully submit that no new matter has been added to the present application. Reconsideration of the application, as amended, is requested.

Objections to the Drawings

The Office Action contains numerous objections to the Drawings of the present application. Figures 3, 4, and 5 were objected to for not containing numerical reference numbers “40”, “42”, and “44”, respectively. The Office Action requires the addition of these numerical reference numbers in order to make Figures 3, 4, and 5 more clear. Figure 8 was objected to because the “save filter button” is not indicated by a reference number. Figure 8 was also objected to because reference number “116” is not mentioned in the description. Figure 19 was objected to because reference number “194” is not mentioned in the description. Figure 20 was objected to because reference number “270” is not mentioned in the description. The Office Action indicates that reference number “270” in Figure 20 should be changed to reference number “220.”

Additionally, the Office Action objected to the Figures because reference number “122” was used to designate both a “save filter button” and a “four activities button.” The Office Action further objected to the Figures because reference number “214” was used to designate both the “add comment/file interface” and the “enter approval” button. Finally, the Office Action objected to the Figures because they do not include reference number “216”, which is discussed in the description in paragraph [0073].

In response, the Applicants have amended the Figures to remove the errors pointed out by the Examiner. In particular, Figures 3, 4, 5, 8, and 20 have been amended. Figures 3, 4, and 5 have been amended to include reference numbers “40”, “42”, and “44”, respectively.

Figure 8 has been amended to include reference number “121”, which refers to the “save filter button.” Paragraph [0063] of the Specification has also been amended so that reference

number “121” is associated with the “save filter button” rather than reference number “122.” Applicants respectfully contend that, in light of the amendments made to Paragraph [0063], reference number “122” is no longer used to designate multiple items because reference number “122” is no longer used to designate the “save filter button.”

With respect to reference number “116” in Figure 8, the Applicants respectfully contend that the reference number is discussed in the description. For example, reference number “116” is discussed in at least Paragraph [0063] of the Specification on line 15.

With respect to Figure 19, the Applicants respectfully contend that reference number “194” is discussed in the description. For example, reference number “194” is discussed in at least Paragraph [0073] of the Specification on lines 17-18. Accordingly, Applicants respectfully assert that Figure 19 is in compliance with 37 CFR 1.84(p)(5).

Figure 20 has been amended in accordance with the suggestion set forth in the Office Action. More particularly, reference number “270” in Figure 20 has been changed to reference number “220.” Reference number “220” is discussed in at least paragraph [0074] of the Specification.

With respect to the objection that reference number “214” was used to designate both the “add comment/file interface” and the “enter approval” button, the Applicant notes that Paragraph [0073] utilizes reference number “214” to refer to the “add comment/file interface” and Figure 21 utilizes reference number “214” to refer to the “enter approval” button. Paragraph [0073] has been amended so that reference number “214” is utilized to refer to the “enter approval” button rather than to the “add comment/file interface.” Accordingly, the Applicants respectfully contend that Paragraph [0073] and Figure 21 are now in conformance with one another.

In light of the amendments made to the Figures, the Applicants believe that the Figures are now in appropriate form.

Objections to the Specification

The Office Action objected to many paragraphs of the Specification because of informalities. More particularly, the Office Action objected to numerous typographical errors in the Specification.

The Specification has been corrected to remove typographical errors pointed out by the Office Action. In particular, Paragraphs [0002] – [0004], [0008] – [0009], [0040], [0043] – [0044], [0049] – [0050], [0052] – [0053], [0056], [0063], [0067], [0072] – [0073], and [0076] have been amended to correct the typographical errors cited in the Office Action.

With respect to Paragraph [0043], the Office Action objected to the term “collocated” and suggested that the term be changed to “collected.” The Applicants, however, respectfully contend that the term “collocated” is proper and that it has a clear and unambiguous meaning.

In light of the amendments made to the Specification, the Applicants believe that the Specification is now in appropriate form.

Objections to the Claims

In the Office Action, Claims 2, 3, 5, 9, 10, and 12 were objected to because of informalities. In particular, the Office Action objected to Claims 5 and 12 stating that the term “documents” should appear at the end of both claims. The Office Action objected to Claims 2 and 9 stating that the term “to” should appear after the term “secure access” in both claims. Additionally, the Office Action objected to Claims 3, 5, 10, and 12 under 37 CFR 1.75(d)(1) as failing to provide proper antecedent basis for claimed subject matter. For each of these claims, the Office Action contends that the recitation of “of at least one” should be amended to recite “of the at least one” in order to provide proper antecedent basis.

In response, the Applicants have amended Claims 2, 3, 5, 9, 10, and 12 to overcome the claim objections pointed out by the Office Action. In particular, Claims 5 and 12 have been amended to include the term “documents” at the end of each claim. Additionally, Claims 2 and 9 have respectively been amended to include the term “to” after the term “secure access.” Additionally, Claims 3, 5, 10, and 12 have respectively been amended to now specifically recite “of the at least one” rather than “of at least one.”

In light of the foregoing amendments, Applicants believe that any formalities have been removed from the claims, and Applicants respectfully assert that the claims are now in proper form.

Claim Rejections Under 35 U.S.C. § 112

In the Office Action, Claims 18-20 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, Claim 18 is rejected because Claim 18 recites “the web server” without proper antecedent basis. The Office Action asserts that no reference has been made to “the web server” in Claim 15, from which Claim 18 depends. Additionally, Claims 19 and 20, which respectively depend from Claim 18, are rejected for the same reasons as Claim 18.

Applicants respectfully submit that the rejections have been rendered moot by the present amendments to Claim 18. Claim 18 has been amended to recite “the claim manager” rather than “the web server.” Applicants respectfully assert that proper antecedent basis is provided for the recitation of “the claim manager” because “the claim manager” is introduced in independent Claim 15. With respect to Claims 19 and 20, the Applicants respectfully contend that the rejections under 35 U.S.C. § 112 have been rendered moot by the amendment to Claim 18.

Accordingly, Applicants submit that Claims 18-20 are now in conformity with the requirements of 35 U.S.C. § 112, and therefore, are in condition for allowance.

Claim Rejections Under 35 U.S.C. § 101

In the Office Action, Claims 1-20 were rejected under 35 U.S.C. § 101 because the claimed invention does not produce “a useful, concrete and tangible result.” In particular, it is alleged in the Office Action that the claims are directed to nothing more than abstract ideas. It is further alleged that the claimed invention fails to transform an article or physical object to a different state or thing and that the claims fail to produce a concrete and tangible result.

In response, the Applicants respectfully submit that the rejections under 35 U.S.C. § 101 are moot in light of the amended claims. In particular, independent Claim 1 has been amended to

specifically recite “storing the at least one audit claim and the one or more associated documents.” Similarly, independent Claim 8 has been amended to specifically recite “storing the electronic record and the associated one or more documents.” As amended, the at least one tangible result of independent Claims 1 and 8 is the storing of at least one audit claim and associated documents for use in the web-based processing of audit claims. These claimed processes do not fall under the auspice of unpatentable subject matter as they are not “laws of nature, natural phenomena, or abstract ideas.” *See Diamond v. Diehr*, 450 U.S. 175, 183-84 (1981). Instead, the Applicants respectfully contend that amended Claims 1 and 8 recite processes or methods which produce “a useful, concrete, and tangible” result. Accordingly, Applicants respectfully assert that independent Claim 1 and 8 fall into the statutory definition for patentable subject matter under 35 U.S.C. § 101. Additionally, the Applicants respectfully assert that Claims 2-7, which depend from independent Claim 1, and Claims 9-14, which depend from independent Claim 8, also recite patentable subject matter under 35 U.S.C. § 101.

With respect to independent Claim 15, the Applicants respectfully contend that at least one “useful, concrete, and tangible result” is produced. For example, Claim 15 recites that “an e-mail server generates a message notifying the accessibility of the audit claim and one or more documents.” As another example, Claim 15 recites that “the claim manager generates web pages presenting the audit claim and associated documents for review.” Both the generation of a message and the generation of web pages are “useful, concrete, and tangible results” that assist in the process of reviewing audit claims.

Furthermore, the Applicants respectfully contend that Claim 15 is a system claim that recites patentable subject matter under 35 U.S.C. § 101. Claim 15 recites a database, a claim manager, and an e-mail server that operate together to form a computer-based system for web-based claim processing in an audit. Simply put, a machine which is “a concrete thing, consisting of parts or of certain devices and combination of devices” is patentable subject matter. *Burr v. Duryee*, 68 U.S. 531, 570 (1863). Accordingly, the Applicants respectfully assert that independent Claim 15 falls into the statutory definition for patentable subject matter under 35 U.S.C. § 101. Additionally, the Applicants respectfully assert that Claims 16-20, which depend from independent Claim 15, also recite patentable subject matter under 35 U.S.C. § 101.

In light of the amendments and remarks, Applicants respectfully submit that the Office Action's rejections of Claims 1-20 under 35 U.S.C. § 101 are traversed. Therefore, Applicants respectfully submit that Claims 1-20 are in condition for allowance.

Claim Rejections Under 35 U.S.C. § 102

In the Office Action, Claims 1, 8 and 10-14 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,404,509 to Klein ("Klein"). In particular, the Office Action argued that Klein teaches a method for web-based claim processing in which at least one audit claim is identified, the at least one audit claim is electronically associated with one or more documents, and the at least one audit claim and the one or more associated documents are made available for review electronically.

Klein is directed to a computer-based method and system for auditing electronic databases and determining the accuracy of information stored in a database (*See*, for example, Klein at Abstract). A user defines a project with one or more focus groups that contain statistical requirement such as target accuracy and confidence level (Klein at column 5, lines 50-54). An audit is conducted by applying the project to a database (Klein at column 5, lines 59-62). Once an audit is begun, a database auditor selects a sample to audit and presents the sample to the user in a standardized set of reports or on-line forms (Klein at column 5, lines 62-64). The sample is formed by randomly selecting field values from records stored in the database (Klein at column 14, lines 17-29). When the sample is presented to the user, images that represent the source material for the database records may also be presented to the user (Klein at column 6, lines 12-23). The user then determines the number of errors contained in the sample by comparing the sample with the source material, and the user communicates this information to the database auditor (Klein at column 6, lines 24-26). The database auditor then calculates the accuracy of the database (Klein at column 6, lines 26-28).

Although Klein discloses a system and method for auditing a database, the Applicants respectfully contend that Klein fails to teach or suggest "identifying at least one audit claim" and "making the at least one audit claim and the one or more associated documents available for review electronically," as recited by independent Claim 1. The Office Action contends that

column 5, line 59 of Klein teaches identifying at least one audit claim; however, column 5, line 59 only teaches that a database audit is conducted by selecting a project that correctly specifies the desired criteria for an audit. The Office Action contends that the database records randomly selected for an audit in Klein are equivalent to the “at least one audit claim” recited by independent Claim 1. However, there is no teaching or suggestion in Klein that a selected database record is an audit claim. In fact, a database audit claim is not identified in Klein until a user locates an error in the sample database records (Klein at column 6, lines 24-29). The located errors are then utilized by the database auditor of Klein to determine an accuracy of the database (Id.). There is no teaching or suggestion in Klein of making the located errors and the source material available to the user for electronic review. In fact, because the user must locate the errors in the first place, there is no need for the user to then electronically review this information once it has been communicated to the database auditor. Accordingly, Klein teaches away from making the identified errors and one or more associated documents (i.e., the source material) available for electronic review, as recited in independent Claim 1. Accordingly, the Applicants respectfully contend that Klein does not anticipate independent Claim 1.

Although the Applicants contend that independent Claim 1 is allowable over Klein, in order to clarify the claims of the present patent application and expedite its allowance, independent Claim 1 has been amended to specifically recite that “the at least one audit claim comprises at least one of a claim type, a claim amount, and a claim date.” This amendment is supported in at least paragraph [0045] of the Specification. There is no teaching or suggestion in Klein that an audit claim comprises at least one of a claim type, a claim amount, and a claim date. In Klein, when a user identifies errors in the database sample, the user simply inserts the number of errors found in each field into an audit summary screen (Klein at column 18, lines 32-40). The errors identified by the user do not comprise “at least one of a claim type, a claim amount, and a claim date.” Contrarily, the error information entered by the user only comprises a number of errors found (Klein at column 18, lines 38-40). Therefore, if the identified errors of Klein are considered to be the equivalent of audit claims, then Klein fails to teach or suggest that an audit claim comprises “at least one of a claim type, a claim amount, and a claim date.”

Moreover, if a database record is the equivalent of an audit claim, as contended by the Office Action, there is no teaching or suggestion in Klein that the database records comprise “at least one of a claim type, a claim amount, and a claim date.” The Applicants recognize that a database record typically includes fields of information; however, Klein does not teach or suggest that the database records specifically include “at least one of a claim type, a claim amount, and a claim date.”

For at least the reasons set forth above, Klein fails to teach or suggest “identifying at least one audit claim, wherein the at least one audit claim comprises at least one of a claim type, a claim amount, and a claim date.” Therefore, the Applicants respectfully assert that amended independent Claim 1 is allowable over Klein. Because Claims 2-7 depend from independent Claim 1, those claims are likewise allowable as a matter of law as depending from an allowable base claim, notwithstanding their independent recitation of patentable features.

Independent Claim 8 has been amended in the same manner as independent Claim 1. Accordingly, independent Claim 8 recites that “the at least one audit claim comprises at least one of a claim type, a claim amount, and a claim date.” The Applicants respectfully assert that all remarks addressing the novelty of Claim 1 are also applicable to amended Claim 8. Therefore, the Applicants assert that independent Claim 8 is allowable for the same reasons set forth above with respect to independent Claim 1. Further, because Claims 9-14 depend from independent Claim 8, the Applicants assert that those claims are allowable as a matter of law as depending from an allowable base claim, notwithstanding their independent recitation of patentable features.

Claim Rejections Under 35 U.S.C. §103

In the Office Action, Claims 2-7 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Klein in view of U.S. Patent No. 5,684,951 to Goldman, et al (“Goldman”). Additionally, Claims 15-18 and 20 were rejected under 35 U.S.C. § 103 as being unpatentable over Klein in view of U.S. Patent No. 5,944,786 to Quinn (“Quinn”). Claim 19 was rejected under 35 U.S.C. § 103 as being unpatentable over Klein in view of Quinn and further in view of Goldman.

In response, the Applicants respectfully content that the rejections of dependent Claims 2-7 and 9 are moot in light of the amendments made to independent Claims 1 and 8. As discussed above, Claims 2-7 and 9 are allowable as a matter of law as depending from an allowable base claim, notwithstanding their independent recitation of patentable features.

With respect to independent Claim 15, the Applicants respectfully assert that all remarks addressing the novelty of Claim 1 are also applicable to independent Claim 15. Additionally, Independent Claim 15 has been amended in the same manner as independent Claims 1 and 8. Accordingly, independent Claim 15 recites that “the audit claim comprises at least one of a claim type, a claim amount, and a claim date.” The Applicants assert that independent Claim 8 is allowable over Klein for the same reasons set forth above with respect to independent Claims 1 and 8.

Additionally, neither Goldman nor Quinn, taken alone or in combination with Klein, teaches or suggests that “the audit claim comprises at least one of a claim type, a claim amount, and a claim date.” Accordingly, the Applicants respectfully contend that independent Claim 15 is allowable over the combination of Klein, Goldman, and/or Quinn.

For at least the reasons stated above, the Applicants respectfully submit that independent Claim 15 is in condition for allowance. Likewise, dependent Claims 16-20, which ultimately depend from independent Claims 15, are allowable as a matter of law as depending from an allowable independent claim notwithstanding their own recitation of patentable subject matter.

CONCLUSION

The Applicants believe they have responded to each matter raised by the Examiner. Allowance of the claims is respectfully solicited. It is not believed that extensions of time or fees for addition of claims are required beyond those that may otherwise be provided for in the documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 19-5029.

If there are any issues which can be resolved by telephone conference or an Examiner's Amendment, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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APPENDIX